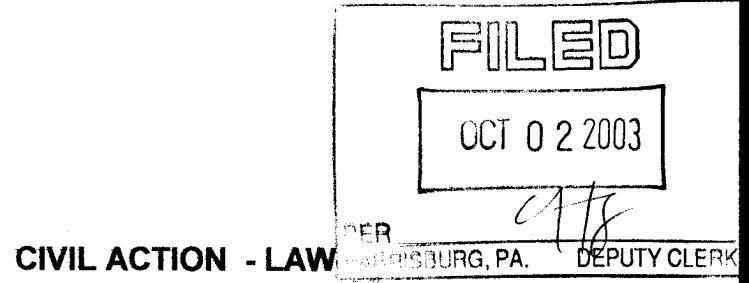


204

**THE UNITED STATES DISTRICT COURT
Middle District of Pennsylvania
Harrisburg, PA**

Yan SHAO)	No. 1:00 CV 1901
)	(JUDGE Rambo)
Plaintiff,)	
)	
v.)	
Edward Cuccia)	
Charles Day)	
John / Jane Doe)	
Law Offices of Ferro & Cuccia)	
)	
<u>Defendants.</u>)	



PLAINTIFF'S RESPONSE TO DEFENDANT CHARLES DAY'S SUBMISSIONS

AND

**PLAINTIFF'S REQUEST THAT HER JUNE 03 MOTION
FOR SANCTIONS AND FEES AND COSTS BE GRANTED**

MAY IT PLEASE THE COURT, the plaintiff herewith responds to the submissions of discovery materials made by the Defendant Charles Day, pursuant to the July 11 2003 orders of this Court. The responses in question have been much delayed and were provided only after the Court convened a hearing at which time the defendant was ordered, once again, to respond. The plaintiff accepts these belated responses.

The plaintiff has appended a final statement of fees. Apart from this statement and a pending motion for sanctions, the plaintiff does not contemplate any additional requests to this Court to supervise her attempts to effect a

recovery from the defendant of the judgements and other assessments levied upon Mr. Day by this Court.

Final submission of fees and costs

The appended submission of fees and costs is in addition to a similar statement submitted to this Court on ~~about~~ June 8 2003. The two submissions together total \$15,285.00 (\$14,475 and \$810).

Pending Motion for Sanctions and for fees

The plaintiff asks this court to rule on the plaintiff's June 2003 motion for sanctions, which was submitted together with a brief and a statement of fees and costs. The plaintiff asks the Court to rule upon the motion and, in an exercise of the Court's sound discretion, to grant the motion and to award her the requested fees and costs, that is, \$15,285.00.

Respectfully submitted,

Craig T. Trebilcock
Pa I.D. No. 48344
Associate Counsel for the Plaintiff
100 East Market
PO Box 15012
York, PA 17405-7012
717 846-8888

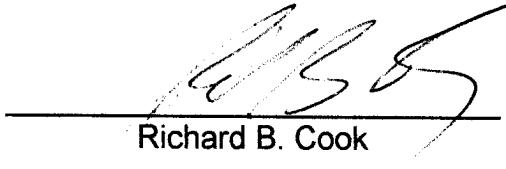


Richard B. Cook
Licensed in Maryland
Counsel for the Plaintiff
17 Jonathan's Court
PO Box 411
Hunt Valley, MD
410 683 9469

CERTIFICATE OF SERVICE

Undersigned counsel certifies that on Sept 29, 2003, a copy of the appended response has been served on the defendant Mr. Day by First Class Mail, postage pre-paid, to the following address, which is that used by Mr. Day as his return address on the discovery materials he mailed to the undersigned on July 24 2003.

Charles C Day, Esq.
11-13 Doyers Street, 2nd Fl
New York, NY 10013
(212) 274 8408

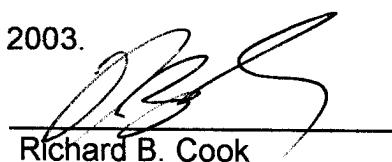

Richard B. Cook

Re Shao v. Cuccia, 1:00-CV-1901 - Plaintiff's Counsel's Post-Judgement Fees

DATE	ACTIVITY	HOURS X \$150.00 / hr
June 23 03	Call to C Day; he said he had Court Conflict re June 27 S / C Hearing - also said he could pay Off all judgements at \$1K/mo & Would send first \$1K; I said I would Ask Shao Yan if this arrangement Would be OK	.3 \$45
July 3 03	Letter to C Day re failure to send First \$1K check	.5 \$75
June 27 03	hrng before Judge Rmbo - moved to 2 July 11 10 AM - C Day called: said he would mail a check for \$1K today as good faith	.1 \$15
July 11 03	hearing in Harrisburg - travel to/from: 3.0 hrs, hearing: one hour	4.0 \$600
Sept 5 03	Review C Day responses to Discovery	.50 \$75
TOTAL		<i>5.4</i> 4.9 \$810

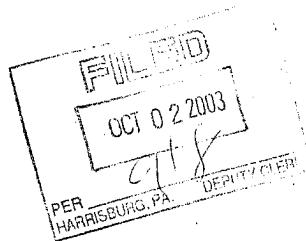
I declare under penalty of perjury that the hourly rate is that accepted by the District Court. I further declare that the items struck through have been submitted in previous statements and are not included herein. I further declare that all of the foregoing is true and correct.

Executed on the 29th day of September 2003.



Richard B. Cook

Richard B. Cook, Esq
PO Box 411
Hunt Valley, MD 21030



Mary E. D'Andrea, Clerk of Court
Office of the Clerk
United States District Court
U.S. Courthouse
228 Walnut Street, Rm 1060
PO Box 983
Harrisburg, PA 17108-0983